

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

YOLANDA OTERO-VALENZUELA,

Defendant.

8:17-CR-22

ORDER

This matter is before the Court on the defendant's third motion to reduce her sentence pursuant to [18 U.S.C. § 3582\(c\)\(1\)\(A\)](#) ([filing 95](#)). Her motion will be denied because she has yet to exhaust her administrative remedies.

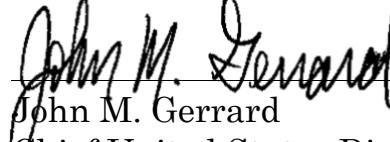
As the Court has previously explained, *see filing 81* and *filing 93*, under § 3582(c)(1)(A), the Court may consider a defendant's motion for compassionate release only "after the defendant has fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant's behalf or the lapse of 30 days from the receipt of such a request by the warden of the defendant's facility, whichever is earlier." § 3582(c)(1)(A).

In other words, before the Court may consider the defendant's motion, the defendant must present her request for compassionate release to the warden of her institution. § 3582(c)(1)(A). Accordingly,

IT IS ORDERED that the defendant's motion to reduce sentence ([filing 95](#)) is denied without prejudice to reassertion subject to exhaustion of her administrative remedies.

Dated this 27th day of July, 2020.

BY THE COURT:


John M. Gerrard
Chief United States District Judge